

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEVONTE B. HARRIS,

Plaintiff,

v.

D. ARDEN, et al.,

Defendants.

Case No. 1:21-cv-00818-ADA-CDB (PC)

**ORDER REGARDING DEFENDANTS'
STATUS REPORT OF APRIL 15, 2024**

(Doc. 37)

Plaintiff Devonte B. Harris is a state prisoner proceeding pro se in this civil rights action. This action is stayed pending the outcome of criminal proceedings. (Doc. 33.)

I. INTRODUCTION

On January 10, 2024, the undersigned issued an Order Granting Defendants' Motion To Stay Case And To Modify Discovery And Scheduling Order. (Doc. 33.)¹ Relevant here, Defendants were ordered to "file a status report on February 15, 2024, addressing the status of the criminal proceedings, and every sixty (60) days thereafter, until those proceedings are resolved." (*Id.* at 6.)

On February 8, 2024, Defendants filed their first status report. (Doc. 34.)

On April 15, 2024, Defendants filed their second status report. (Doc. 37.) Defendants

¹ On April 2, 2024, the docket reflects Plaintiff filed a Motion For Reconsideration of this Order. (*See* Doc. 36.) That motion will be decided by District Judge Kirk E. Sherriff.

1 advise that the court in the state criminal proceedings approved Plaintiff's mental health treatment
2 plan on February 20, 2024. (*Id.* at 2.) Related thereto, Defendants advise Plaintiff is scheduled for
3 a performance review hearing in that matter on September 4, 2024. (*Id.*) In the event Plaintiff fails
4 to comply with the treatment plan, the criminal prosecution will resume. (*Id.*) Defendants assert
5 the stay of these proceedings should remain in effect. (*Id.*) Finally, Defendants request leave of
6 Court to file their next status report "by September 15, 2024, since there are no scheduled
7 hearings until September 4, 2024." (*Id.*)

8 **II. CONCLUSION AND ORDER**

9 Accordingly, and for good cause shown, **IT IS HEREBY ORDERED** that Defendants
10 **SHALL** file their next status report concerning the status of the state criminal proceedings **no**
11 **later than September 15, 2024**. In the event any additional hearing or proceeding is set in the
12 state criminal proceedings prior to the scheduled performance review hearing, Defendants shall
13 file a status report with this Court *within five days* of ascertaining that information.

14 IT IS SO ORDERED.

15 Dated: **April 18, 2024**

16 
UNITED STATES MAGISTRATE JUDGE